

GARY T. LAFAYETTE (SBN 88666)
SUSAN T. KUMAGAI (SBN 127667)
CHERYL A. STEVENS (SBN 146397)
LAFAYETTE & KUMAGAI LLP
1300 Clay Street, Suite 810
Oakland, California 94612
Telephone: (415) 357-4600
Facsimile: (415) 357-4605

Attorneys for Defendant
CITISTAFF SOLUTIONS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEMETRIC DI-AZ, OWEN DIAZ, and
LAMAR PATTERSON,

Plaintiff,

vs.

TESLA, INC. dba TESLA MOTORS, INC.;
CITISTAFF SOLUTIONS, INC.; WEST
VALLEY STAFFING GROUP;
CHARTWELL STAFFING SERVICES,
INC.; and DOES 1-50, inclusive,

Defendants.

Case No. 3:17-cv-06748-WHO

**DECLARATION OF VERONICA
MARTINEZ IN SUPPORT OF
DEFENDANT CITISTAFF SOLUTIONS,
INC.'S MOTION FOR SUMMARY
JUDGMENT OR, IN THE
ALTERNATIVE, MOTION FOR
SUMMARY ADJUDICATION OF ISSUES**

Date: October 23, 2019
Time: 2:00 p.m.
Courtroom: 2, 17th Floor
Judge: Hon. William H. Orrick

Trial Date: March 2, 2020
Complaint filed: October 16, 2017

LAFAYETTE & KUMAGAI LLP
ATTORNEYS AT LAW
1300 CLAY STREET, SUITE 810
OAKLAND, CALIFORNIA 94612
(415) 357-4600
FAX (415) 357-4605

Gordon Rees Scully Mansukhani, LLP
633 West Fifth Street, 52nd Floor
Los Angeles, CA 90071

DECLARATION OF VERONICA MARTINEZ

I, Veronica Martinez, declare as follows:

1. I have personal knowledge of the matters contained in this declaration and if called to testify thereto, I would competently do so.

2. I am currently employed by Chartwell Staffing Services, Inc. ("Chartwell") as a Senior Area Vice President. I have worked for Chartwell in that capacity at all times relevant to this declaration.

3. Chartwell provides staffing and other human resources related services to small and large companies across the country, including Tesla.

4. On January 22, 2016, Chartwell was advised it had received a complaint via email from Owen Diaz alleging that Chartwell employee Ramon Martinez drew an offensive cartoon character on a cardboard box in the Tesla factory at which Diaz worked.

5. Chartwell immediately began an investigation into the veracity of these allegations.

6. As part of the internal investigation, I interviewed Martinez on or about January 22, 2016.

7. Chartwell also conducted an interview of Diaz regarding the incident on Monday, January 25, 2016.

8. Chartwell then placed Martinez on Corrective Action from January 26, 2016, through December 31, 2016, for conduct substantially impairing the discipline and order of the work environment.

9. Chartwell does not have record of any harassment complaints filed against Martinez before, or after, this incident occurred. Chartwell does not have any record of any other harassment or discrimination complaint from that Tesla facility.

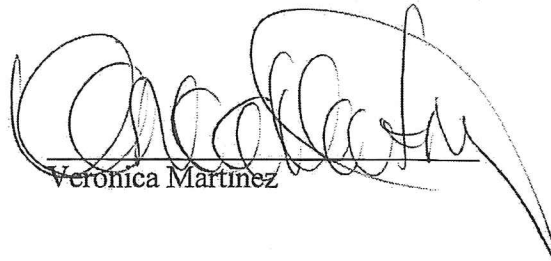
///

///

///

///

1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct. Executed on this 4 day of June 2019 in _____,
3 California.

4 
5 Veronica Martinez
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Gordon Rees Scully Mansukhani, LLP
633 West Fifth Street, 52nd Floor
Los Angeles, CA 90071